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10/004,458	10/23/2001	Thomas Fung	2875.0440001	6843
26111 7590 08/24/2009 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER				
POPHAM, JEFFREY D				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/004,458

Applicant(s)

FUNG ET AL.

Examiner

JEFFREY D. POPHAM

Art Unit

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-12, 14-16, 18, 22-24, 26 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-12, 14-16, 18, 22-24, 26 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-849)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Remarks

Claims 1-4, 8-12, 14-16, 18, 22-24, 26, and 43 are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 6/17/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4, 8-12, 14-16, 18, 22-24, 26, and 43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 15 and 18 are objected to because of the following informalities:
- Claim 15 is replete with "configured to" language. The primary issue here arises in use of "configured to" with respect to non-functional data. As an example, the last limitation recites that "an interrupt is configured to be generated...". It is unclear what entity would be generating this interrupt, or how this would correlate to the interrupt

Art Unit: 2437

being configured for anything, since it is non-existent until such time that it is generated. Since the interrupt does not exist before being generated, the interrupt cannot be "configured to be generated". A like issue arises with respect to "the history buffer is configured to move the first interrupt indicator...". The history buffer is described in the application as being a data structure, register, or the like, and not a functional entity. Therefore, the history buffer cannot be configured to perform any function, such as moving an indicator.

- Claim 18 recites "moving the first interrupt indicator associated with the first control record onto the second control record", however, in order to have appropriate basis, this portion has been construed as "moving the first interrupt indicator associated with the first control record onto the second interrupt indicator associated with the second control record".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2437

4. Claims 1, 3, 4, 8-12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (U.S. Patent 6,412,064) in view of Bashford (U.S. Patent 6,629,179).

Regarding Claim 1,

Wang discloses a method for processing data using a plurality of processing engines, the method comprising:

Processing first data associated with a first control record in a first processing engine (Abstract; Column 5, lines 58-64; and Column 7, lines 22-52; executing/processing instructions in the functional units, such as the ALUs);

Processing second data associated with a second control record in a second processing engine, wherein the first and second data are processed in parallel (Abstract; Column 5, lines 58-64; and Column 7, lines 22-52; such executing/processing of instructions being done simultaneously, as noted by sending multiple instructions in the same clock cycle to different functional units and/or the out-of-order processing and completion);

If processing of the first data completes before processing of the second data completes and the first control record is younger than the second control record, moving a first retirement indicator associated with the first control record onto a second retirement indicator associated with the second control record, wherein moving the first retirement indicator comprises setting the first

retirement indicator associated with the first control record to disabled and setting the second retirement indicator associated with the second control record to enabled (Abstract; and Column 10, lines 21-61; write enable signal 604, for example, which is enabled when writes to register array are allowed (writing to register array is only allowed when the instruction is retireable, meaning that all previous instructions have completed processing); in this situation, the system allowed for simultaneous retiring and, thus, enabling writing to the register array, of groups of parallel-processed data, as discussed in column 10, lines 31-32, for example);

If processing of the first data completes before processing of the second data completes and the first control record is older than the second control record, retiring the instruction by writing it directly to the register array (or, possibly, by first going to the temporary buffer and then to the register array), such retiring/writing being performed before processing of the second data completes (Abstract; and Column 10, lines 12-20); and

In-order generation of exceptions, such that all previous instructions are completed before an exception for an instruction is generated (Column 5, lines 30-47);

But does not explicitly disclose that the retirement indicators comprise interrupt indicators.

Bashford, however, discloses that retirement indicators comprise interrupt indicators (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56; completion interrupts that are only generated once all prior transactions (corresponding to the instructions of Wang in the combination) have completed); and

Generating an interrupt when processing of the first data completes in proper order and is ready for retirement (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the interrupt generating device of Bashford into the parallel processing system of Wang in order to allow the system to generate interrupts upon completion of instructions, thereby explicitly informing a host processor of the completion of each instruction, and/or to allow for the expansion of out-of-order execution with ordered responses described by Wang to additional devices over buses, thereby obtaining the benefits of proper ordering while allowing for parallel processing on many various devices (e.g. hard drives, I/O devices, etc.).

Regarding Claim 3,

Wang as modified by Bashford discloses the method of claim 1, in addition, Bashford discloses that moving the first interrupt indicator comprises determining that the first interrupt

indicator is enabled (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56; in at least some embodiments of Bashford, interrupts are provided for completion of all operations, therefore, the indicator will be enabled since an interrupt is intended to be generated after completion of the operation, only being disabled when the operation finishes early and the interrupt must be delayed).

Regarding Claim 4,

Wang as modified by Bashford discloses the method of claim 1, in addition, Bashford discloses that moving the first interrupt indicator comprises delaying the generation of an interrupt associated with the first control record (Column 6, lines 42-56; and Column 9, lines 35-50).

Regarding Claim 8,

Wang as modified by Bashford discloses the method of claim 1, in addition, Bashford discloses that the first control record comprises a reference to data (Column 6, line 54 to Column 7, line 10; and Column 9, lines 6-30, for example, showing instruction dependencies and tags referring to data, respectively).

Regarding Claim 9,

Wang as modified by Bashford discloses the method of claim 8, in addition, Wang discloses that the first control record comprises a reference to an operation to be performed on data

(Column 5, lines 49-64, for example, showing integer and floating-point operations).

Regarding Claim 10,

Wang as modified by Bashford discloses the method of claim 1, in addition, Wang discloses writing processed data to memory associated with a host (Abstract; and Column 10, lines 12-61).

Regarding Claim 11,

Wang as modified by Bashford discloses the method of claim 10, in addition, Bashford discloses that the host is an external processor coupled to the processing engines (Figure 1; Host CPU and Chipset corresponding to the host as an external processor).

Regarding Claim 12,

Wang as modified by Bashford discloses the method of claim 11, in addition, Bashford discloses that the external processor is coupled to the processing engines through a scheduler (Figure 1; PCI bridge corresponding to scheduler).

Regarding Claim 14,

Wang as modified by Bashford discloses the method of claim 12, in addition, Wang discloses that a processor reads the processed data when the data is retired (Column 8, lines 18-33; providing data stored in the register array to a functional unit); and Bashford discloses that the data would be received by the external

Art Unit: 2437

processor when the interrupt is generated (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56).

5. Claims 2, 15, 16, 18, 22-24, 26, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Bashford, further in view of Pierson (Pierson et al., "Context-Agile Encryption for High Speed Communication Networks", Computer Communications Review, Association for Computing Machinery, Vol. 29, No. 1, January 1999, pp. 35-49).

Regarding Claim 2,

Wang as modified by Bashford does not explicitly disclose that the first processing engine is a public key engine.

Pierson, however, discloses that the first processing engine is a public key engine (Pages 46-48, Section 5.2). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the cryptographic system of Pierson into the parallel processing system of Wang as modified by Bashford in order to allow the system to perform encryption and authentication, thereby providing additional security, and/or to provide such encryption and authentication quickly and easily, encrypting multiple communications (with different keys, algorithms, etc.) at a time without the normal delay required for context switching.

Regarding Claim 15,

Wang discloses an apparatus comprising:

A first processing engine configured to process a first control record (Abstract; Column 5, lines 58-64; and Column 7, lines 22-52);

A second processing engine configured to process a second control record, wherein the first and second processing engines are configured to process the first and second control records in parallel (Abstract; Column 5, lines 58-64; and Column 7, lines 22-52);

A history buffer configured to retain information associated with the first and second control records including a first retirement indicator associated with the first control record and a second retirement indicator associated with the second control record (Abstract; Column 8, lines 18-29; and Column 10, lines 4-44; temporary buffer);

Wherein the history buffer is configured to move the first retirement indicator associated with the first control record onto a second retirement indicator associated with the second control record if processing of the first control record completes before processing of the second control record completes and the first control record is younger than the second control record (Abstract; and Column 10, lines 21-61);

Retiring an instruction if processing of the first control record completes before processing of the second control record completes and the first control record is older than the second control record, the interrupt configured to be generated before processing of the second control record completes (Abstract; and Column 10, lines 12-20); and

In-order generation of exceptions, such that all previous instructions are completed before an exception for an instruction is generated (Column 5, lines 30-47);

But does not explicitly disclose that the apparatus is a cryptography accelerator or that the retirement indicators comprise interrupt indicators.

Bashford, however, discloses that retirement indicators comprise interrupt indicators (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56); and

Generating an interrupt when processing of the first data completes in proper order and is ready for retirement (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the interrupt generating device of Bashford into the parallel processing system of Wang in order to allow the system to generate interrupts upon completion of instructions, thereby explicitly informing a host processor of the

completion of each instruction, and/or to allow for the expansion of out-of-order execution with ordered responses described by Wang to additional devices over buses, thereby obtaining the benefits of proper ordering while allowing for parallel processing on many various devices (e.g. hard drives, I/O devices, etc.).

Pierson, however, discloses that the apparatus is a cryptography accelerator (Pages 46-48, Section 5.2). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the cryptographic system of Pierson into the parallel processing system of Wang as modified by Bashford in order to allow the system to perform encryption and authentication, thereby providing additional security, and/or to provide such encryption and authentication quickly and easily, encrypting multiple communications (with different keys, algorithms, etc.) at a time without the normal delay required for context switching.

Regarding Claim 16,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 15, in addition, Pierson discloses that the first processing engine is a public key engine (Pages 46-48, Section 5.2).

Regarding Claim 18,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 15, in addition, Bashford discloses that moving the first interrupt indicator associated with the first control record onto the second interrupt indicator associated with the second control record further comprises delaying the generation of an interrupt associated with the first control record (Column 6, lines 42-56; and Column 9, lines 35-50).

Regarding Claim 22,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 15, in addition, Bashford discloses that the second control record comprises a reference to data (Column 6, line 54 to Column 7, line 10; and Column 9, lines 6-30).

Regarding Claim 23,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 22, in addition, Wang discloses that the second control record comprises a reference to an operation to be performed on data (Column 5, lines 49-64).

Regarding Claim 24,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 23, in addition, Bashford discloses an external processor coupled to the processing engines through a scheduler (Figure 1).

Regarding Claim 26,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 24, in addition, Wang discloses that a processor reads the processed data when the data is retired (Column 8, lines 18-33; providing data stored in the register array to a functional unit); and Bashford discloses that the data would be received by the external processor when the interrupt is generated (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56).

Regarding Claim 43,

Wang as modified by Bashford and Pierson discloses the apparatus of claim 15, in addition, Wang discloses that moving the first retirement indicator comprises setting the first retirement indicator associated with the first control record to disabled and setting the second retirement indicator associated with the second control record to enabled (Abstract; and Column 10, lines 21-61); and Bashford discloses that the retirement indicators comprise interrupt indicators (Abstract; Column 2, line 47 to Column 3, line 9; and Column 6, lines 42-56).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY D. POPHAM whose telephone number is (571)272-7215. The examiner can normally be reached on M-F 9:00-5:30.

Art Unit: 2437

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham
Examiner
Art Unit 2437

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Examiner, Art Unit 2437